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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/694492	
	Filing Date	10-27-2003	
	First Named Inventor	Michael S. Rinks	
	Art Unit	2128	
	Examiner Name	Russell Frejd	
Total Number of Pages in This Submission	116	Attorney Docket Number	201-F1

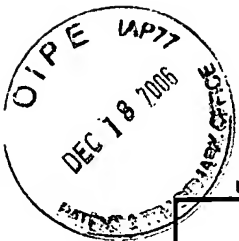
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Firm Name	Flint Patent Service		
Signature	<i>Jack E. Tubbs</i>		
Printed name	Jack E. Tubbs		
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40849

Registration Number, if applicable

810-687-8900

Telephone Number

1. Transmittal Form
2. Supp. Declar. Cover Memo
3. Supp. Declaration
- Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.
4. IDS Cover Memo
5. PTO/SB/08B IDS

6. Chart 2 IDS
7. FIG. 1-105 IDS
8. Fee Transmittal
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ASU

DOCKET NO. 201 – F1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Shane Rinks and Timothy Steven Bennett
Serial No.: 10/694,492
Filed: October 27, 2003
Title: METHOD FOR DETERMINING A SET OF MATERIALS
Group Art Unit: 2128
Examiner: Russell Frejd

SUPPLEMENTAL DECLARATION UNDER 37 CFR § 1.67

December 13, 2006

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are completed Forms PTO/SB/04 and PTO/SB/02A, i.e. a supplemental declaration under 37 CFR § 1.67 for the above-identified nonprovisional utility patent application. The Examiner confirmed on October 10, 2006, that Applicants' priority claim to U.S. Provisional Patent Application No. 60/421,378 filed on October 25, 2002, is "of record." A "DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)" was signed by Applicants on April 6, 2004, and filed on May 21, 2004. That "DECLARATION" referred to an amendment of April 6, 2004. This amendment (which was not filed) was considered at one point in time by Applicants as the correct mechanism for making a priority claim. (The sole purpose of the amendment was to file a priority claim.) Applicants learned afterwards that the priority claim originally filed as part of the Specification on October 27, 2003, was sufficient and that no ancillary amendment is necessary. Under these circumstances, the Examiner advised Applicants that filing a supplemental declaration under 37 CFR § 1.67 would be appropriate for: 1. presenting the new claims included in the "AMENDMENT UNDER 37 CFR § 1.111" which was filed on December 5, 2006, and 2. clarifying that no amendment was, in fact, filed on April 6, 2004.

Respectfully submitted,

Jack E. Tubbs

Jack E. Tubbs
Regis. No. 40849
(810) 687-8900 phone

Enclosures: (2)

1. Form PTO/SB/04 (2 pages)
2. Form PTO/SB/02A

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